

EXHIBIT 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEPHANIE SMARGISSO, individually
and as successor-in-interest to
Decedent WILLIAM ANKIEL JR.,
et al.,

Case No.:

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION
(sued individually and as
successor-in-interest to
BUFFALO PUMPS, INC.), et al.,
Defendants.

Defendants.

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REMOTE EXPERT WITNESS DEPOSITION OF
ARNOLD P. MOORE, PE
SAN PEDRO, CALIFORNIA
MAY 29, 2024

REPORTED BY: CARI L. GONZAGA, CSR NO. 12401
FILE NO.: 6719278

1 A. Certainly, that's where the individual sailors
2 doing the work would obtain the replacement parts. If
3 they weren't available in the stores, then supply
4 department aboard that ship would have been responsible
5 for finding the materials for that sailor.

6 Q. In turn, the ships stores would obtain
7 replacement gaskets or replacement packing through a
8 land-base Naval supply warehouse, true?

9 A. Yes, that's where they most commonly obtain
10 their material.

11 Q. And in turn, again, the land-base Naval supply
12 warehouse would obtain replacement gaskets or
13 replacement packing directly from the manufacturers of
14 gaskets and packing based upon a bulk contract
15 negotiated by the Navy to obtain a quantity discount,
16 true?

17 A. That's where the Navy obtains some of their
18 replacement gaskets and packing, but as I've cited in my
19 report, there's numerous examples of the Navy including
20 the ships parts control center and mechanics of
21 obtaining gaskets and packing directly from machinery
22 manufacturer.

23 Q. The Navy knew it was going to be needing or
24 using in the regular maintenance of its ships and the
25 equipment aboard the ships gaskets and packing, true?

1 would have access in membership to prepare the Manual.

2 Q. The United States Navy also had other
3 documents that it provided to its sailors Rate
4 Advancement Manuals, true?

5 A. Correct.

6 Q. And there were Rate Advancement Manuals for
7 people working in the fire room or boiler room, true?

8 A. There were Rate Advancement Manuals for Boiler
9 Technicians that were earlier called boiler men, yes.

10 Q. So what, if anything, prevents the United
11 States Navy from including an asbestos cautionary
12 statement in the Rate Advancement Training Manuals for
13 Boiler Technicians in 1975?

14 A. Again, my opinion is that the Navy, at that
15 point in time, was concerned primarily about the health
16 of shipyard insulators and did not, at that point in
17 time, believe that that sort of occasional exposure to
18 sailors was likely going to result in disease.

19 They did change their mind as you moved
20 through the 1970s, and I've covered some of those
21 documents in my report.

22 Q. You would agree with me that if, as of
23 November of 1922, the Navy had identified asbestos dust
24 as an inorganic dust health hazard and also identified
25 four effective methods to prevent inhalation of asbestos